APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/046,999	01/16/2002	Mansoor Lakhdhir	AUS920010581US1	6331

7590 12/15/2006	EXAMINER
Duke W. Yee	HONEYCUTT, KRISTINA B
Carstens, Yee & Cahoon, LLP	

ART UNIT	PAPER NUMBER
2178	

Duke W. Yee
Carstens, Yee & Cahoon, LLP
P.O. Box 802334
Dallas, TX 75380

DATE MAILED: 12/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

UNITED STATES PATENT AND TRADEMARK OFFICE

MAILED

DEC 15 2006

Technology Center 2100

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Application Number: 10/046,999
Filing Date: January 16, 2002
Appellant(s): LAKHDHIR ET AL.

Duke W. Yee
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 11/22/2005.

(1)   Real Party in Interest

A statement identifying the real party in interest is contained in the brief.

(2)   Related Appeals and Interferences

A statement identifying the related appeals and interferences which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief.

(3)   Status of Claims

The statement of the status of claims contained in the brief is correct.

(4)   Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5)   Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6)   Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7)   Grouping of the Claims

The following groups of claims stand or fall together: (1, 2, 4-13, 17, 18, 20-29, 33, 34, 36-44).

(8)   Claims Appealed

The copy of the appealed claims contained in the Appendix to the brief is correct..

(9)   Prior Art of Record

Pat. # 5987480, Donohue et al. (November 16, 1999; filed July 25, 1996).

US Pub. # 20020004813, Agrawal et al. (January 10, 2002; filed March 5, 2001).

Pat. # 6760746, Schneider (July 6, 2004; filed August 31, 2000).

Pat. # 6623529, Lakritz (September 23, 2003; filed January 28, 1999).

(10) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 103

A.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for

all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

B.   Claims 1, 2, 4, 6-8, 11-13, 17, 18, 20, 22-24, 27-29, 33, 34, 36, 38-40, 43

and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Donohue

et al. (U.S. Patent 5987480; date of patent November 16, 1999; filed July 25,

1996) in view of Agrawal et al. (U.S. Pub. No. 20020004813; publication date

January 10, 2002; filed March 5, 2001).

Regarding independent claim 1, Donohue discloses retrieving a source

document for said web page (Fig. 2; col. 8, lines 25-37).

Donohue further discloses locating a plurality of command strings within

said source document, wherein each command string of said plurality of

command strings includes a respective element type and at least one respective

element parameter (Fig. 4; col. 3, lines 51-61; col. 7, lines 45-55; col. 8, lines 15-

20, 39-46, 58-67; col. 9, lines 8-15; col. 10, lines 49-55).

Donohue further discloses retrieving a respective base string

corresponding to said respective element type (Fig. 4; col. 3, lines 62-65; col. 7,

lines 45-55; col. 8, lines 3-9, 58-67; col. 9, lines 8-15; col. 10, lines 34-37).

Donohue further discloses modifying said respective base string according

to said at least one respective element parameter to obtain a rendered string

(Fig. 4; col. 3, lines 62-67; col. 4, lines 1-4, 45-58; col. 8, lines 58-67; col. 9, lines

8-15, 27-29; col. 10, lines 60-67; col. 11, lines 1-9).

Donohue further discloses replacing the command string the source

document with the rendered string (Fig. 4; col. 3, lines 62-67; col. 4, lines 1-4, 45-

58; col. 8, lines 58-67; col. 9, lines 8-15, 27-29; col. 10, lines 60-67; col. 11, lines

1-9).

Donohue does not disclose after said retrieving, locating, modifying, and

replacing steps, saving said source document as current web page whereby a

server responding to a request for dynamic content does not need to render the

dynamic content. Agrawal teaches saving a web page so that a server

responding to a request does not need to render the dynamic content (p.1, para.

10). It would have been obvious to one of ordinary skill in the art, having the

teachings of Donohue and Agrawal before him at the time the invention was

made, to modify the current web page taught by Donohue to include saving the

web page so that the server does not have to render the page upon request as

taught by Agrawal, because saving a web page so that the server doesn't have

to render the content, as taught by Agrawal (p.1, para. 10), would allow for

quicker display of web pages since the web page only has to be retrieved instead

of the dynamic content being rendered in the page.

Regarding dependent claim 2, Donohue discloses the base string is retrieved

from a data structure (col. 7, lines 35-44; col. 8, lines 3-9).

Regarding dependent claim 4, Donohue discloses the at least one element

parameter includes one of a name, a value, description, a number columns, or a

format modifier (col. 7, lines 45-55; col. 8, lines 58-67; col. 9, lines 8-15).

Regarding dependent claim 6, Donohue discloses the element type is one of

checkbox, selection, radio button, text area, button, heading, or title (col. 7, lines

45-55; col. 8, lines 58-67; col. 9, lines 8-15, 29-32).

Regarding dependent claim 7, Donohue discloses the base string includes tags

written a structure markup language (col. 8, lines 10-15; col. 10, lines 10-17).

Regarding dependent claim 8, Donohue discloses the structured markup

language is one of Hypertext Markup Language (HTML), Extensible Markup

Language (XML), Wireless Markup Language (WML), or Standard Generalized

Markup Language (SGML) (col. 8, lines 10-15; col. 10, lines 10-17).

Regarding dependent claim 11, Donohue discloses modifying the base string

according to the parameters to obtain a rendered string includes replacing a

substring within the base string with one of the element parameters (col. 8, lines

58-67; col. 9, lines 8-15, 27-29; col. 10, lines 60-67; col. 11, lines 1-9).

Regarding dependent claim 12, Donohue discloses using one of the element

parameters to retrieve a replacement substring from a database (col. 7, lines 35-

44; col. 8, lines 3-9) and replacing a substring within the base string with the

replacement substring (col. 8, lines 58-67; col. 9, lines 8-15, 27-29; col. 10, lines

60-67; col. 11, lines 1-9).

Regarding dependent claim 13, Donohue discloses the method is performed in

a rendering program (col. 4, lines 10-13).

Regarding claims 17, 18, 20, 22-24 and 27-29, the claims reflect the computer

program product for performing the operations of claims 1, 2, 4, 6-8 and 11-13

respectively and are rejected along the same rationale.

Regarding independent claim 33, Donohue discloses a bus system and a

processing unit connected to the bus system, wherein the processing unit

includes at least one processor (col. 6, line 67; col. 7, lines 1-7) since Donohue

discloses a processing unit on a web server that interacts with the Internet and it

is obvious that the processing unit must be connected to a bus which connects to

a network since the processing unit downloads packages from the Internet and

must be connected to a network in order for this to occur.

Donohue further discloses retrieving a source document for said web page

(Fig. 2; col. 8, lines 25-37).

Donohue further discloses locating a plurality of command strings within

said source document, wherein each command string of said plurality of

command strings includes a respective element type and at least one respective

element parameter (Fig. 4; col. 3, lines 51-61; col. 7, lines 45-55; col. 8, lines 15-

20, 39-46, 58-67; col. 9, lines 8-15; col. 10, lines 49-55).

Donohue further discloses retrieving a respective base string

corresponding to said respective element type (Fig. 4; col. 3, lines 62-65; col. 7,

lines 45-55; col. 8, lines 3-9, 58-67; col. 9, lines 8-15; col. 10, lines 34-37).

Donohue further discloses modifying said respective base string according

to said at least one respective element parameter to obtain a rendered string

(Fig. 4; col. 3, lines 62-67; col. 4, lines 1-4, 45-58; col. 8, lines 58-67; col. 9, lines

8-15, 27-29; col. 10, lines 60-67; col. 11, lines 1-9).

Donohue further discloses replacing the command string the source document with the rendered string (Fig. 4; col. 3, lines 62-67; col. 4, lines 1-4, 45-58; col. 8, lines 58-67; col. 9, lines 8-15, 27-29; col. 10, lines 60-67; col. 11, lines 1-9).

Donohue does not disclose after said retrieving, locating, modifying, and replacing steps, saving said source document as current web page whereby a server responding to a request for dynamic content does not need to render the dynamic content. Agrawal teaches saving a web page so that a server responding to a request does not need to render the dynamic content (p.1, para. 10). It would have been obvious to one of ordinary skill in the art, having the teachings of Donohue and Agrawal before him at the time the invention was made, to modify the current web page taught by Donohue to include saving the web page so that the server does not have to render the page upon request as taught by Agrawal, because saving a web page so that the server doesn't have to render the content, as taught by Agrawal (p.1, para. 10), would allow for quicker display of web pages since the web page only has to be retrieved instead of the dynamic content being rendered in the page.

Regarding claims 34, 36, 38-40, 43 and 44, the claims reflect the data processing system for performing the operations of claims 2, 4, 6-8, 11 and 12 respectively and are rejected along the same rationale.

C.   Claims 5, 21, and 37 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Donohue in view of Agrawal in further view of Schneider (U.S.

Patent 6760746; date of patent July 6, 2004; filed August 31, 2000).

Regarding dependent claim 5, Donohue discloses does not disclose the

parameter includes a database domain. Schneider teaches including a database

domain (col. 9, lines 11-14). It would have been obvious to one of ordinary skill

in the art, having the teachings of Donohue and Schneider before him at the time

the invention was made, to modify the database taught by Donohue (col. 7, lines

35-44) to include a database domain as taught by Schneider, because including

a database domain would enhance the invention since multiple databases could

be utilized and a distinction could be made among them.

Regarding dependent claims 21 and 37, the claims reflect the computer

program product and data processing system for performing the operations of

claim 5 and are rejected along the same rationale.

D.   Claims 9, 10, 25, 26, 41 and 42 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Donohue in view of Agrawal in further view of Lakritz

(U.S. Patent 6623529; date of patent September 23, 2003; filed January 28,

1999).

Regarding dependent claim 9, Donohue discloses a script (col. 7, lines 7-8) but does not disclose the base string includes an embedded script. Lakritz teaches including an embedded script (col. 7, lines 50-52). It would have been obvious to one of ordinary skill in the art, having the teachings of Donohue and Lakritz before him at the time the invention was made, to modify the script taught by Donohue to include an embedded script as taught by Lakritz, because including an embedded script would enhance the invention since users with varying needs would be able to utilize the invention based on their preferences and skills.

Regarding dependent claim 10, Donohue discloses the script is one of a client-side script or a server-side script (col. 7, lines 7-8).

Regarding dependent claims 25 and 41, the claims reflect the computer program product and data processing system for performing the operations of claim 9 and are rejected along the same rationale.

Regarding dependent claims 26 and 42, the claims reflect the computer program product and data processing system for performing the operations of claim 10 and are rejected along the same rationale.

(11) Response to Argument

Regarding independent claim 1, the appellants note that Claim 1 is not obvious

over the combination of Donohue and Agrawal for at least the following two reasons:

(a) neither Agrawal nor Donohue disclose the feature of "performing the ... steps" to

produce dynamic web pages "at regular intervals or when dynamic content changes"

and (b) one of ordinary skill in the art would not use the suggested motivation to

combine these two references (p.10, lines 6-10; p.11, lines 31-32). The Examiner

disagrees with part (a) because Agrawal teaches performing steps to maintain a

webpage when the dynamic content has changed (p.1, para. 10) since Agrawal teaches

regenerating and caching a dynamic webpage when the cached version is invalid

(stale), meaning the content of the webpage has changed since the last caching. The

current version of the webpage is cached so that a server does not have to render the

dynamic content each time the page is accessed. The Examiner further disagrees with

part (b) because Donohue teaches maintaining webpages with dynamic content by

locating command strings (dynamic tags, IF and LOOP instructions) in a source

document (template), retrieving names corresponding to the elements in the command

strings and replacing the string with the retrieved names to create an updated version of

a dynamic webpage (col. 10, lines 38-67; col. 11-18) and Agrawal teaches updating

caches versions of dynamic webpages (p.1, para. 10). Both Donohue and Agrawal

teach methods of updating and delivering dynamic webpages. It would have been

obvious to one of ordinary skill in the art, having the teachings of Donohue and Agrawal

before him at the time the invention was made, to modify updating a dynamic webpage

as taught by Donohue to include caching updated versions of a dynamic webpage as

taught by Agrawal since the server would use fewer resources, reduce response time

and be able to accommodate a greater number of users, as taught by Agrawal (p.1,

para. 10), by caching updated versions of the webpage for future access so that the

dynamic content would not have to be rendered each time the page is accessed.

Independent claims 17 and 33 are rejected under the same rationale as the

rejection for independent claim 1 above.

Claims 2, 4, 6-8, 11-13, 18, 20, 22-24, 27-29, 34, 36, 38-40, 43 and 44 depend

from independent claims 1, 17 and 33. Therefore claims 2, 4, 6-8, 11-13, 18, 20, 22-24,

27-29, 34, 36, 38-40, 43 and 44 are rejected at least based on the rationale of the

rejections above.

Claims 5, 21, and 37 depend from independent claims 1, 17 and 33. Therefore

claims 5, 21, and 37 are rejected at least based on the rationale of the rejections above.

Claims 9, 10, 25, 26, 41 and 42 depend from independent claims 1, 17 and 33.

Therefore claims 9, 10, 25, 26, 41 and 42 are rejected at least based on the rationale of

the rejections above.

(12)   Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the

Related Appeals and Interferences section of this examiner's answer.

Conclusion

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,
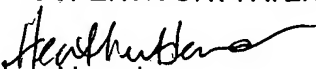
Kristina Honeycutt

Patent Examiner

December 1, 2006

STEPHEN HONG
SUPERVISORY PATENT EXAMINER

Conferees:

Stephen Hong
STEPHEN HONG
SUPERVISORY PATENT EXAMINER

Heather Herndon